

## **ARTICLE 5**

### **ZONING DISTRICTS, MAPS, AND BOUNDARIES**

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#### **501 Establishment of Zoning Districts**

The following Zoning Districts are re-established or established:

- 501.01** RU-36, Rural District
- 501.02** RU-18, Rural District
- 501.03** RU-10, Rural District
- 501.04** RU-4, Rural District
- 501.05** RU-2, Rural District
- 501.06** R-36, Residential District
- 501.07** R-18, Residential District
- 501.08** R-9, Residential District
- 501.09** SM-36 Acres, Single-Household/Manufactured Home Residential District
- 501.10** SM-18 Acres, Single-Household/Manufactured Home Residential District
- 501.11** SM-10 Acres, Single-Household/Manufactured Home Residential District
- 501.12** SM-174 (4-acres), Single-Household/Manufactured Home Residential District
- 501.13** SM-87 (2-acres), Single-Household/Manufactured Home Residential District
- 501.14** SM-36, Single-Household/Manufactured Home Residential District
- 501.15** SM-18, Single-Household/Manufactured Home Residential District
- 501.16** SM-9, Single-Household/Manufactured Home Residential District
- 501.17** SR-36 Acres, Single-Household Residential District
- 501.18** SR-18 Acres, Single-Household Residential District
- 501.19** SR-10 Acres, Single-Household Residential District
- 501.20** SR-174 (4-acres), Single-Household Residential District
- 501.21** SR-87 (2-acres), Single-Household Residential District
- 501.22** SR-43, Single-Household Residential District
- 501.23** SR-22, Single-Household Residential District
- 501.24** SR-12, Single-Household Residential District
- 501.25** SR-8, Single-Household Residential District
- 501.26** MR-1, Multiple-Household Residential District
- 501.27** MR-2, Multiple-Household Residential District

- 501.28** NB, Neighborhood Business District
- 501.29** GB, General Business District
- 501.30** LI, Light Industry District
- 501.31** HI, Heavy Industry District
- 501.32** PD, Planned Development District
- 501.33** MT, Major Thoroughfare District (Overlay District)
- 501.34** Sierra Vista Sub-watershed Water Conservation Overlay District

## **502 Zoning District Maps**

The boundaries of the Zoning Districts established by these Zoning Regulations shall be those shown on the maps entitled "Official Cochise County Zoning District Map" (adopted January 1, 1975, and as thereafter amended).

## **503 Boundary Determination**

Where uncertainty exists with respect to the boundaries of any Zoning District as shown on the Zoning District Maps, the following rules shall apply:

- 503.01** Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed as following the center lines;
- 503.02** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
- 503.03** Boundaries indicated as approximately following city limits shall be construed as following city limits;
- 503.04** Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- 503.05** Boundaries indicated as approximately following the center lines of streams, rivers, lakes or other bodies of water shall be construed to follow such center lines;
- 503.06** Boundaries indicated as parallel to or extensions of features indicated in Subsections .01 through .05 above shall be so construed;
- 503.07** Distances not specifically indicated on the Zoning District Maps shall be determined by the scale of the map; and
- 503.08** Where physical or cultural features existing on the ground are at variance with those shown on the Zoning District Maps; or any other uncertainty exists as to the boundary of any Zoning District, the Board of Adjustment shall interpret the district boundaries.

## **504 Official Zoning District Map**

- 504.01** The Official Cochise County Zoning District Map, together with all explanatory matter hereon, is hereby adopted by reference and declared to be an official record and a part of these Zoning Regulations.
- 504.02** Said map shall be identified as such by the signature of the Chairman of the Board of Supervisors and attested by the Clerk of the Board of Supervisors.

**504.03** Whenever amendments or changes are made in Zoning District boundaries, such amendments or changes shall be made promptly on the Official Zoning District Map.

**504.04** No changes of any kind shall be made in the Official Zoning District Map except in conformance with the procedures set forth in these Zoning Regulations. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of these Zoning Regulations and punishable as provided in Article 23.

**504.05** Regardless of the existence of purported copies of the Official Zoning District Map which may from time to time be made or published, the Official Zoning District Maps shall be that set in the custody of the Clerk of the Board of Supervisors and physically kept by the Clerk in the office of the Cochise County Community Development Department, which is hereby designated to be a part of the office of the Clerk of the Board of Supervisors for this purpose only. Said maps shall be the final authority as to the current Zoning status of all lands and buildings in the area of jurisdiction.

**504.06** In the event that the Official Zoning District Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and amendments thereto, the Board of Supervisors may, by resolution, adopt a new Official Zoning District Map which shall supersede the prior Official Zoning District Map. The new Official Zoning District Map may correct drafting or other errors or omissions in the prior Official Zoning District Map, but no such corrections shall have the effect of amending the original Zoning Regulations or any subsequent amendments thereto.

#### **505 Public Way Abandonment**

Whenever any streets, alley, or other public way is abandoned by the Board of Supervisors, the Zoning District(s) of the parcel(s) to which the right-of-way becomes attached shall apply to all areas included in the vacation, which shall thereafter be subject to all appropriate regulations of the extended district or districts.

#### **506 Lands Previously Zoned**

Lands which for any reason come under the authority of Cochise County after these Zoning Regulations become effective shall be subject to the regulations of that Zoning District designated for such lands previously by Cochise County on the Official Zoning District Map.

#### **507 Lands Not Previously Zoned**

Lands under the authority of Cochise County at or after the time these Zoning Regulations become effective which have not been previously zoned by Cochise County, shall be subject to the regulations of an RU-10 (Rural) Zoning District if in a Category D (Rural) plan designation, or RU-2 if within another plan designation until such time that the Zoning of such lands is amended in accordance with these Zoning Regulations.

#### **508 Rural Zoned Districts**

For the purposes of application of building codes, qualifying land for Rural Residential Owner-Builder Amendment shall include all lands in any Growth Area Category and lying within a Zoning District in which the minimum lot size is four-acres and the parcel is a minimum of four-acres. Certain lands within the above Areas, as specified in the ordinance establishing building codes or that specified exemptions for Rural Residential Owner-Builder Amendment structures, as currently adopted or as may hereafter be amended, may be exempted from the Cochise County Building Safety Code by the Board pursuant to Arizona Revised Statutes. Property owners whose structures were damaged or destroyed by catastrophic events that the BOS declares an emergency, and who wish to repair or rebuild on properties less than four acres may qualify for the Rural Residential Owner-Builder Amendment.

## **ARTICLE 6**

### **RU, RURAL ZONING DISTRICTS**

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#### **601 Purpose**

RU (Rural) Zoning Districts are established to achieve the following purposes:

- 601.01** To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;
- 601.02** To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;
- 601.03** To preserve the agricultural character of those portions of the county capable of resource production;
- 601.04** To provide space for people, minimize traffic congestion, and preserve the existing rural environment of unincorporated areas of the county situated outside of existing communities;
- 601.05** To provide recreational support services that are compatible with rural living;
- 601.06** To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County; and
- 601.07** To allow consideration of some more intense non-residential uses as special uses that are inappropriate in more densely populated urban/suburban areas that may under some circumstances be appropriate in rural areas if designed to be sensitive to the general character of rural districts and natural environment and harmonious and in scale with existing development near the proposed site and in conformance with Section 601.06.

#### **602 Division of RU Zoning Districts**

The RU (Rural) Zoning Districts shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

- 602.01** RU-36
- 602.02** RU-18
- 602.03** RU-10
- 602.04** RU-4
- 602.05** RU-2

### **603 Permitted Principal Uses**

The following uses shall be permitted in all RU Zoning Districts, provided that they conform to the applicable site development standards for such uses set forth below, and meet any other requirements for such uses found in these Zoning Regulations, such as off-site road and drainage improvements. (Also see Section 606, Other Permitted Uses).

#### **Use**

- 603.01** All single- and multiple-household dwellings.
- 603.02** Mobile home or manufactured home parks subject to the maximum densities in Section 604.01. The standards set forth in Article 18 shall not apply.
- 603.03** Utility installations not otherwise exempted by Article 20, other than electrical generation plants, regional sewage treatment plants, solid waste landfills or incinerators.
- 603.04** Churches or places of religious worship.
- 603.05** Enclosed veterinary clinics or animal hospitals.
- 603.06** Riding stables, commercial, on a minimum site of 10-acres.
- 603.07** Emergency vehicle stations not otherwise exempted by Article 20.
- 603.08** Residential care homes.
- 603.09** Bed and breakfast homestay, subject to procedures in Article 17.
- 603.10** Bed and breakfast inn subject, to procedures in Article 17.
- 603.11** Grocery stores (not including gasoline sales) and agriculture-related retail sales where the sales area does not exceed 2,500-square feet of total area, including any outdoor storage.
- 603.12** Day care facilities.
- 603.13** Communications towers at a maximum height of 30-feet, subject to site development standards in Article 18.
- 603.14** Anemometers, with temporary use permit not to exceed 3-years.
- 603.15** Indoor and/or outdoor recreational facilities approved as part of a subdivision review process for subdivision residents and guests only.
- 603.16** Civic, social, fraternal, or business associations approved as part of a subdivision review process for subdivision residents and guests only.
- 603.17** Custom butchering/meat curing/processing with a 100-foot minimum setback.
- 603.18** Ag-processing with a 300-foot minimum setback.
- 603.19** Farmers Markets.
- 603.20** Community Gardens.

**604 Site Development Standards**

All uses permitted in RU Zoning Districts shall conform to the following minimum site development standards in addition to the provisions of Article 18:

**604.01 Minimum Site Area and Maximum Density**

District	Minimum Site Area	Maximum Density
RU-36	36-acres	One dwelling per 36-acres
RU-18	18-acres	One dwelling per 18-acres
RU-10	10-acres	One dwelling per 10-acres
RU-4	4-acres	One dwelling per 4-acres
RU-2	2-acres	One dwelling per 2-acres

**604.02 Maximum Height**

Principal structure	30-feet above grade
Accessory structure	30-feet above grade
Wall or fence	8-feet above grade

**604.03 Setbacks, Principal and Accessory Structures/Uses**

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
RU-36	20-feet
RU-18	20-feet
RU-10	20-feet
RU-4	20-feet
RU-2	20-feet

\* The minimum required setback for Special Uses is 40-feet. The minimum required setback for accessory structures no larger than 120-square feet is 10-feet.

**604.04 Maximum Site Coverage**

25-percent.

**604.05 Distance Between Structures**

Except as otherwise provided in these Zoning Regulations, the minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of structures.

#### **604.06 Screening**

In Category A, B and C Growth Areas whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see Article 2 for definition). Non-residential outdoor storage shall be screened regardless of abutting Zoning District. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas, whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a 6-foot high solid screen; otherwise screening is not required.

#### **604.07 Minor Expedited Residential Subdivision Option**

Pursuant to the Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

#### **605 Permitted Accessory Uses**

Accessory uses are permitted in RU Zoning Districts provided they are customarily incidental to an established permitted principal use. Accessory structures may exceed the size of the principal structure, unless otherwise stated, provided that all other site development standards are met. Winery Tasting Rooms are permitted accessory uses to a Farm Vineyard, Farm Winery, Small Production Winery, or Large Production Winery, uses may be exempted if conditions are met per Article 17. For residential uses, the following additional accessory uses and buildings shall be permitted:

##### **605.01 Recreational Vehicles (RV's) are allowed as follows:**

- A. No permit is required for storage of no more than two RV's on a parcel.
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the building permit with a required Temporary Use Permit, subject to procedures in Article 17.
- D. Recreational vehicles accessory to a principal permitted use may not be rented out.

**605.02** Rooms in the principal dwelling for roomers, not exceeding two such persons per dwelling unit (no permit is required).

**605.03** One Accessory Living Quarter (ALQ), subject to the definition in Article 2 and the procedures in Article 17.

**605.04** Family cemeteries on a minimum parcel of one-acre, subject to procedures in Article 18 (informational permit is required).

**605.05** Home Occupations.

**605.06** Manufactured and mobile homes used as storage units in Zoning Districts with minimum lot sizes of four-acres or larger, provided that the kitchen and bathrooms are removed and electricity is the only utility provided.

**605.07** Wind Energy Systems, subject to site development standards in Article 18.

**605.08** Solar Energy Systems, subject to site development standards in Article 18.

### **606 Other Permitted Uses**

The following rural uses will be allowed without the establishment of a permitted principal use:

**606.01** Solid fences or walls six-feet in height or less. Setbacks do not apply; no permit required unless greater than three feet in height on a corner lot (informational permit required).

**606.02** Well houses, in a fixed location. Setbacks do not apply; no permit required.

**606.03** In Category A and B only, one out-building, in a fixed location, corrals, and pens. Multiple structures allowed in Category C and D.

### **607 Special Use Authorization**

The following land uses require a Special Use Authorization from the Planning Commission in the RU Zoning Districts, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-Residential Use permit.

**607.01** Guest Lodging.

**607.02** Recreational vehicle parks that are designed to ensure that the park fits into the rural landscape such as clustering RV sites, maintaining perimeter open space and enhancing existing vegetation using drought tolerant vegetation.

**607.03** Welfare and/or charitable services.

**607.04** Recycling/Solid Waste transfer facilities.

**607.05** Zoos and/or other animal exhibits or sanctuaries.

**607.06** Animal hospitals, animal boarding, and/or veterinary clinics.

**607.07** Animal husbandry services.

**607.08** Indoor and/or outdoor recreational facilities.

**607.09** Outdoor Firearms, skeet, archery, or trap shooting ranges.

**607.10** Fairgrounds and/or outdoor amusement parks.

**607.11** Gasoline/service stations.

**607.12** Convenience stores.

**607.13** Restaurants, bars, taverns, nightclubs and/or off-site winery tasting rooms.

**607.14** Contract construction services.

**607.15** Airports, airstrips, helipads and/or heliports.



- 607.16** Manufacturing, wholesaling, warehousing, distribution, and/or storage of agriculture-related products.
- 607.17** Manufacturing, wholesaling, warehousing, distribution, and/or storage of products, activity area not to exceed 5,000-square feet.
- 607.18** Commercial feed lots, stockyards, and/or livestock auction barns, on a site not less than 20-acres.
- 607.19** Wholesaling, warehousing, distribution, and/or storage of propane.
- 607.20** Motion picture production sites/studios.
- 607.21** Custom butchering/meat curing/processing with less than a 100-foot minimum setback.
- 607.22** Transient camps, migrant labor camps.
- 607.23** Retail sales, rentals, or accessory storage of materials, merchandise, supplies and/or equipment.
- 607.24** Civic, social, fraternal, and/or business associations.
- 607.25** Educational services.
- 607.26** Personal and professional services.
- 607.27** Hospitals.
- 607.28** Health clinics.
- 607.29** Repair services.
- 607.30** Recycling centers.
- 607.31** Cultural, historic and/or nature exhibits.
- 607.32** Residential care institutions.
- 607.33** Offender rehabilitation facilities.
- 607.34** Group quarters.
- 607.35** Funeral and/or crematory services.
- 607.36** Golf courses.
- 607.37** Agricultural processing services with less than 300-foot minimum setback.
- 607.38** Communications towers exceeding 30-feet in height, subject to site development standards in Article 18.
- 607.39** Cemeteries.
- 607.40** Slaughterhouses/meat packing plants.

- 607.41** Day care establishments.
- 607.42** Commercial plant nurseries.
- 607.43** Bed and breakfast establishment.
- 607.44** Grocery Stores.
- 607.45** Research and/or Testing Laboratories.
- 607.46** Impound Storage Yards.
- 607.47** Wind Energy Power Plants (in Category D Areas only).
- 607.48** Mini-warehouses.
- 607.49** Riding stables, commercial, on a site less than 10-acres.
- 607.50** Solar Energy Power Plants-in Category D areas only.
- 607.51** Medical Marijuana Cultivation Facility in RU-4 and greater only, subject to site development standards in Article 18.
- 607.52** Medical Marijuana Dispensary in RU-4 and greater only, subject to site development standards in Article 18.
- 607.53** Medical Marijuana Dispensary Cultivation Facility in RU-4 and greater only, subject to site development standards in Article 18.
- 607.54** Medical Marijuana Infusion Facility in RU-4 and greater only, subject to site development standards in Article 18.